

KENNETH L. NISSLY (SBN 77589) [knissly@omm.com](mailto:knissly@omm.com)  
SUSAN van KEULEN (SBN 136060) [svankeulen@omm.com](mailto:svankeulen@omm.com)  
SUSAN ROEDER (SBN 160897) [sroeder@omm.com](mailto:sroeder@omm.com)  
MISHIMA ALAM (SBN 271621) [malam@omm.com](mailto:malam@omm.com)  
O'MELVENY & MYERS LLP  
2765 Sand Hill Road  
Menlo Park, California 94025  
Telephone: (650) 473-2600  
Facsimile: (650) 473-2601

KENNETH O'ROURKE (SBN 120144) [korourke@omm.com](mailto:korourke@omm.com)  
O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, California 90071-2899  
Telephone: (213) 430-6000  
Facsimile: (213) 430-6407

*[Additional Counsel listed on Signature Page]*

Attorneys for Plaintiffs  
HYNIX SEMICONDUCTOR INC.,  
HYNIX SEMICONDUCTOR AMERICA,  
HYNIX SEMICONDUCTOR U.K. LTD, and  
HYNIX SEMICONDUCTOR DEUTSCHLAND GmbH

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

HYNIX SEMICONDUCTOR INC.,  
HYNIX SEMICONDUCTOR  
AMERICA INC., HYNIX  
SEMICONDUCTOR U.K. LTD., and  
HYNIX SEMICONDUCTOR  
DEUTSCHLAND GmbH,

Plaintiffs,

vs.

RAMBUS INC.,

Defendant.

CASE NO.: CV 00-20905 RMW

**HYNIX'S REQUEST FOR JUDICIAL  
NOTICE IN SUPPORT OF (1) MOTION FOR  
SUMMARY JUDGMENT ON THE ISSUE OF  
THE COLLATERAL ESTOPPEL EFFECT  
OF REEXAMINATIONS OF RAMBUS'S  
PATENTS; (2) MOTION FOR LEAVE TO  
FILE SUPPLEMENTAL REPLY TO  
DEFENDANT AND COUNTERCLAIM OF  
PLAINTIFF RAMBUS INC.'S AMENDED  
COUNTERCLAIM; AND (3) MOTION FOR  
NEW TRIAL, OR IN THE ALTERNATIVE,  
FOR MOTION TO STAY**

Hearing Date: November 30, 2012  
Time: 9:00 a.m.  
Place: Courtroom 6  
Judge: Hon. Ronald M. Whyte

Pursuant to Federal Rule of Evidence 201, Plaintiffs SK hynix Semiconductor Inc., SK hynix Semiconductor America Inc., SK hynix Semiconductor U.K. Ltd., and SK hynix Semiconductor Deutschland GmbH (collectively, “Hynix”)<sup>1</sup> hereby request that the Court take judicial notice of the items listed below.

1. The following documents from the United States Patent and Trademark Office’s reexaminations of Rambus’s patents, which are properly the subject of judicial notice (*see* Fed. R. Evid. 201; *Coinstar, Inc. v. CoinBank Automated Systems, Inc.*, 998 F.Supp. 1109, 1114 (N.D. Cal. 1998) and submitted herewith as exhibits to the declaration of David L. Taylor.<sup>2</sup>

UNITED STATES PATENT NO.	SUBJECT PATENT	ATTACHED TO TAYLOR DECL.
6,324,120	BPAI Decision of January 19, 2012 regarding the ‘120 patent	Ex. 10
6,324,120	BPAI Decision of July 25, 2012 denying Micron’s rehearing request regarding the ‘120 patent	Ex. 11
6,324,120	BPAI Decision of July 30, 2012 denying Rambus’s rehearing request regarding the ‘120 patent	Ex. 12
6,426,916	BPAI Decision of June 14, 2012 regarding the ‘916 patent	Ex. 14
6,182,184	BPAI Decision of January 19, 2012 regarding the ‘184 patent	Ex. 16
6,182,184	BPAI Decision of July 25, 2012 denying Micron’s rehearing request regarding the ‘184 patent	Ex. 17
6,584,037	BPAI Decision of January 27, 2012 regarding the ‘037 patent	Ex. 18
6,584,037	BPAI Decision of July 26, 2012 denying Micron’s rehearing request regarding the ‘037 patent	Ex. 19
6,584,037	BPAI Decision of August 16, 2012 denying Rambus’s rehearing request regarding the ‘037 patent	Ex. 20

<sup>1</sup> On October 5, 2012, the parties formerly collectively referred to as “Hynix” filed an Administrative Motion informing the Court of changes to the parties’ names. As of the date of filing this motion, the Administrative Motion had not been granted. For ease of reference for this supplemental reply, the parties shall continue to be referred to as “Hynix.”

<sup>2</sup> The Declaration of Dave Taylor is being filed in support of SK hynix’s Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment, on the Issue of the Collateral Estoppel Effect of Reexaminations of Rambus’s Patents on October 17, 2012 and is incorporated by reference herein

<b>UNITED STATES PATENT NO.</b>	<b>SUBJECT PATENT</b>	<b>ATTACHED TO TAYLOR DECL.</b>
<b>6,426,916</b>	PTAB Decision of September 27, 2012 regarding the '446 patent	Ex. 21

DATED: October 17, 2012

By: /s/ Susan van Keulen  
SUSAN van KEULEN

KENNETH L. NISSLY  
SUSAN van KEULEN  
SUSAN ROEDER  
MISHIMA ALAM  
O'MELVENY & MYERS LLP

KENNETH O'ROURKE  
O'MELVENY & MYERS LLP

THEODORE G. BROWN III  
KILPATRICK TOWNSEND &  
STOCKTON LLP

Attorneys for Plaintiffs  
HYNIX SEMICONDUCTOR INC.,  
HYNIX SEMICONDUCTOR  
AMERICA INC., HYNIX  
SEMICONDUCTOR U.K. LTD., and  
HYNIX SEMICONDUCTOR  
DEUTSCHLAND GmbH

OMM\_US:71001385.7